

REMARKS

Claims 4-10, 12-35, and 48-78 are pending.

Claims 4-6, 8, 10, 12, 13, 19, 25, 48, 54, 60, 71-73, 75, 77, and 78 are the only pending independent claims.

Claims 71-77 are reinstatements of claims 39-45, respectively. Claim 78 is a reinstatement of claim 47.

The pending claims were found allowable in the International Preliminary Report of Patentability for the associated PCT application PCT/US04/26736. A copy of the International Preliminary Report of Patentability for the associated PCT application PCT/US04/26736 is attached as Attachment 1.

OFFICE ACTION

The office action summary page, and item 1 in the detailed action, contain an error. They both indicate that the office action is in response to the communications filed 12/8/2005. In fact, the amendment that presented the now pending claims was not filed 12/8/2005; it was filed 10/16/2006.

Item 2 in the office action requires restriction between groups of claims as allegedly not claiming the same inventive concept, citing PCT rule 13.1 and 37 CFR 1.499. Item 2 identifies the Groups as:

Group I: claims 4-10, 12, and 71-78

Group II: claims 13-18 and 48-53

Group III: claims 19-24, 25-35, and 54-70.

In response, the applicant **elects Group III, drawn to using block data, with traverse.**

The applicant traverses on the grounds that the requirement for restriction contained no indication that there would be a significant burden on the examiner in examining all three Groups.

5-20-2010
Date

Respectfully submitted,
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Date/Time: May 20, 2010 (4:10pm)

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